

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

|                                     |   |                                |
|-------------------------------------|---|--------------------------------|
| 1) VIDEO GAMING TECHNOLOGIES, INC., | ) |                                |
|                                     | ) |                                |
|                                     | ) |                                |
| Plaintiff,                          | ) |                                |
|                                     | ) |                                |
| v.                                  | ) | Case No. 4:17-cv-00454-GKF-jfj |
|                                     | ) |                                |
| 1) CASTLE HILL STUDIOS LLC          | ) |                                |
| (d/b/a CASTLE HILL GAMING);         | ) |                                |
| 2) CASTLE HILL HOLDING LLC          | ) |                                |
| (d/b/a CASTLE HILL GAMING); and     | ) |                                |
| 3) IRONWORKS DEVELOPMENT, LLC       | ) |                                |
| (d/b/a CASTLE HILL GAMING)          | ) |                                |
|                                     | ) |                                |
| Defendants.                         | ) |                                |

**PLAINTIFF’S MOTION TO SEAL OPPOSITION TO  
DEFENDANTS’ MOTION TO COMPEL DISCOVERY**

Pursuant to Local Rule 79.1, General Order In Re The Use of Confidential Information In Civil Cases (“GO 08-11”), and paragraph 2(f) of the Stipulated Protective Order (Dkt. 55), Plaintiff Video Gaming Technologies, Inc. (“VGT”), hereby requests that the Court enter an order to seal Plaintiff’s unredacted Opposition to Defendants’ Motion to Compel Discovery (the “Opposition”) and Exhibits D, E, F, G, J, K, and M to the Declaration of Peter A. Swanson in Support of the Opposition (Dkt. 122). In support of this motion, Plaintiff states the following:

1. Portions of the Opposition contain information designated by Defendants as Highly Confidential Information pursuant to paragraphs 2(a) and 2(c) of the Stipulated Protective Order (Dkt. 55).

2. Exhibit D to the Opposition consists of excerpts from the deposition testimony of Richard Williamson, dated June 14, 2018. This testimony was designated as Highly Confidential on the record because it covered sensitive and proprietary trade secret, research, development, and

commercial information, which, pursuant to paragraph 2(c) of the Stipulated Protective Order (Dkt. 55), should be treated as Highly Confidential Information.

3. Exhibit E to the Opposition consists of excerpts from the deposition testimony of William Harvie, dated June 15, 2018. This testimony was designated as Highly Confidential on the record because it covered sensitive and proprietary trade secret, research, development, and commercial information, which, pursuant to paragraph 2(c) of the Stipulated Protective Order (Dkt. 55), should be treated as Highly Confidential Information.

4. Exhibit F to the Opposition consists of excerpts from the deposition testimony of Jay Seigny, dated July 12, 2018. This testimony was designated as Highly Confidential on the record because it covered sensitive and proprietary trade secret, research, development, and commercial information, which, pursuant to paragraph 2(c) of the Stipulated Protective Order (Dkt. 55), should be treated as Highly Confidential Information.

5. Exhibit G to the Opposition consists of excerpts from the deposition testimony of Jon Yarbrough, dated July 11, 2018. This testimony was designated as Highly Confidential on the record because it covered sensitive and proprietary trade secret, research, development, and commercial information, which, pursuant to paragraph 2(c) of the Stipulated Protective Order (Dkt. 55), should be treated as Highly Confidential Information.

6. Exhibit J to the Opposition consists of a letter sent by VGT to a compliance testing lab that is designated as Highly Confidential pursuant to paragraph 2(a) of the Stipulated Protective Order (Dkt. 55).

7. Exhibit K to the Opposition consists of an internal VGT document that is designated as Highly Confidential pursuant to paragraph 2(a) of the Stipulated Protective Order (Dkt. 55).

8. Exhibit M to the Opposition consists of an internal Castle Hill Gaming document that is designated as Highly Confidential pursuant to paragraph 2(a) of the Stipulated Protective Order (Dkt. 55).

9. In accordance with Local Rule 79.1, GO 08-11, and the Stipulated Protective Order, Plaintiff has filed both a public, redacted Opposition and public versions of Exhibits D, E, F, G, J, K, and M (Dkt. 123), as well as a sealed, unredacted Opposition and sealed versions of Exhibits D, E, F, G, J, K, and M (Dkt. 122).

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order granting sealing the Opposition and Exhibits D, E, F, G, J, K, and M to the Declaration of Peter A. Swanson in Support of the Opposition (Dkt. 122).

August 17, 2018

Respectfully submitted,

/s/ Gary Rubman

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 17, 2018, I filed the foregoing via CM/ECF, which caused the foregoing to be served on the following counsel for Defendants:

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